IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Group Art Unit:** 3687
Ronald Fredrik Michael JOHNSON

Serial No.: 09/769,294   **Examiner:** GORT, Elaine L.

Filed: September 18, 2009

For: SYSTEM AND METHODS FOR ON-LINE, REAL-TIME INVENTORY
DISPLAY, MONITORING, AND CONTROL

APPEAL BRIEF

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On February 18, 2009 Appellant filed a notice of appeal from the final rejection of Claims 1-3, 9-10, 12-16, 18, 20, 22-31 set forth in the Office Action dated August 18, 2008. A fee in the amount of $270.00 as required under 37 C.F.R. §41.20(b)(2) and applicable extension of time fees was submitted with the Appeal Brief filed on September 18, 2009.

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I.   Real party in interest

The real party in interest is the inventor, Applicant and Appellant, Ronald Fredrik Michael Johnson.

II.   Related appeals and interferences

There are no other prior or pending appeals, interferences or judicial proceedings known to Appellant, the Appellant's legal representative, or assignee which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

III.   Status of claims

Claims 1-3, 9-10, 12-16, 18, 20, 22-31 are pending in this Application and have been finally rejected. Claims 4-8, 11, 17, 19 and 21 are canceled.

Appellants appeals the rejection of Claims 1-3, 9-10, 12-16, 18, 20, 22-31.

IV.   Status of amendments

Claims 12 and 26 were amended on February 18, 2009 subsequent to the Final Office Action mailed August 18, 2008. The amendments were entered and an advisory action was issued on March 11, 2009 maintaining all rejections under 35 U.S.C 101 and 103 without further comment.

V.   Summary of claimed subject matter

Appellant provides the following concise explanation of the subject matter defined in Claims 1-3, 9-10, 12-16, 18, 20, 22-31 with reference to the specification, claims and drawings, as originally filed, by page and line number. The citations to the specification are not intended to be exhaustive and that other support for the various claims may also be found throughout the specification and drawings.

A.   Independent Claim 1

Independent claim 1 is directed to an inventory status and information system. The system comprises a database storing at least on-hand, reserved, and ordered

inventory quantities associated with a plurality of inventory items. Specification, page 5, lines 4-11 and FIG. 2, 240. The system additionally comprises a server providing access to information from the database via a communication interface, the server also pushing out updates to inventory quantities as such inventory quantities change. Specification, page 5, lines 21-28 and page 7, lines 4-12. The system additionally comprises a client, the client providing a user interface through which information accessible via the server may be accessed and displayed. Specification, page 7, lines 4-12. The user interface further allows a user to view inventory quantities associated with a selected inventory item, view inventory quantity updates provided by the server, and place a specified quantity of the selected inventory item on reserve as an order is placed. Specification, page 5, lines 4-30.

B.   Claims Dependent on Claim 1

Dependent Claim 2 depends from Claim 1 and is further directed to an inventory status and information system wherein the server comprising a web server. Specification, page 7, line 14-21 and FIG 2 and 3, 220.

Dependent Claim 3 depends from Claim 2 and is further directed to an inventory status and information system wherein the client comprising a web browser operating on a cellular telephone. Specification, page 6, lines 14-23.

Dependent Claim 9 depends from Claim 1 and is further directed to an inventory status and information system wherein the client comprises a device capable of reading a container label to identify the selected inventory item. Specification lines, page 5, lines 13-19 and Claims, Claim 9.

Dependent Claim 10 depends from Claim 9 and is further directed to an inventory status and information system wherein the client comprises a barcode scanner. Specification lines, page 5, lines 13-28 and Claims, Claim 10.

C.   Independent Claim 12

Independent Claim 12 is directed to method of real-time inventory item status and information dissemination.   A quantity on-hand for a plurality of inventory items is recording in an inventory database, the inventory database being stored in an electronic

data storage element in a server. <u>Specification</u>, page 5, lines 4-11 and FIG. 2, 240. A first order for a first inventory item and the corresponding order properties is recorded in the inventory database, the corresponding order properties comprising a first quantity ordered, a date ordered, and at least one of an anticipated delivery time and an anticipated delivery date, the first order representing an order placed with a supplier, the first inventory item being one of the plurality of inventory items. <u>Specification</u>, page 5, lines 13-27, and page 6, lines 1-12 and FIG. 1 and <u>Claims</u>, Claim 12. A second quantity of the first inventory item received from the supplier recording is recorded in the inventory database by at least incrementing the on-hand inventory item quantity corresponding to the first inventory item, wherein the on-hand inventory item quantity is incremented in an amount equal to the second quantity. <u>Specification</u>, page 5, lines 13-27, and page 6, lines 1-12 and FIG. 1 and <u>Claims</u>, Claim 12. A third quantity of the first inventory item is stored in the inventory database information associated with at least one purchase request for a quantity of inventory items on reserve by incrementing in the inventory database an on reserve inventory item quantity by an amount corresponding to the third quantity for the first inventory item, the purchase request being received from the a client as an order is placed. <u>Specification</u>, page 5, lines 13-27, and page 6, lines 1-12 and FIG. 1 and <u>Claims</u>, Claim 12. At least one request for information about the first inventory item is received from a user, via a client. <u>Specification</u>, page 5, lines 13-27, and page 6, lines 1-12 and FIG. 1 and <u>Claims</u>, Claim 12. An inventory item quantity available for delivery for the first inventory item as a difference between an inventory item quantity on-hand and an inventory item quantity on reserve for the first inventory item is calculated, via one of the server or the client. <u>Specification</u>, page 5, lines 13-27, and page 6, lines 1-12 and FIG. 1 and <u>Claims</u>, Claim 12. The inventory item quantity available for delivery for the first inventory item is displayed for the user, via the client. <u>Specification</u>, page 5, lines 13-27, and page 6, lines 1-12 and FIG. 1 and <u>Claims</u>, Claim 12.. The updated inventory item quantity available for delivery for the first inventory item is transmitted, via a wireless communications means, from the server to the client when the inventory item quantity available for the first inventory item changes, thereby providing the client with real-time access to inventory information about the first inventory item. <u>Specification</u>, Page 6, line 24 to Page 7, line 12. The updated inventory item quantity for

the first inventory item is displayed for the user, via the client. <u>Specification</u>, Page 6, line 24 to Page 7, line 12.

D. Claims Dependent on Claim 12

Dependent Claim 13 depends from Claim 12 and is further directed to a method of real-time inventory item status and information dissemination wherein the first orders are entered through an accounting system. <u>Specification</u>, page 10, lines 4-10 and FIG. 2 and 3, 260 and <u>Claims</u>, Claim 13.

Dependent Claim 14 depends from Claim 13 and is further directed to a method of real-time inventory item status and information dissemination wherein the accounting system automatically updates the corresponding order properties in the inventory database. <u>Specification</u>, page 10, lines 4-10 and FIG. 2 and 3, 260 and <u>Claims</u>, Claim 13.

Dependent Claim 15 depends from Claim 12 and is further directed to a method of real-time inventory item status and information dissemination wherein electronically readable codes corresponding to inventory items are used as a basis for recording inventory items as they are received, returned, or shipped. <u>Specification</u> lines, page 5, lines 13-28. <u>Claims</u>, Claim 15.

Dependent Claim 16 depends from Claim 15 and is further directed to a method of real-time inventory item status and information dissemination in which electronically readable codes are Universal Product Code (UPC) codes. <u>Specification</u> lines, page 5, lines 13-28. <u>Claims</u>, Claim 16.

Dependent Claim 18 depends from Claim 12 and is further directed to a method of real-time inventory item status and information dissemination further comprising the step of reading an electronically readable code corresponding to a sixth inventory item as the sixth inventory item is shipped. <u>Specification</u> lines, page 5, lines 13-28.

Dependent Claim 20 depends from Claim 12 and is further directed to a method of real-time inventory item status and information dissemination further comprising recording in the inventory database any inventory items returned by a customer by at least incrementing the on-hand inventory item quantity corresponding to the returned inventory items. <u>Specification</u>, page 10, lines 4-10.

Dependent Claim 22 depends from Claim 12 and is further directed to a method of real-time inventory item status and information dissemination further comprising decrementing in the inventory database both reserve and on hand inventory item totals corresponding to the first inventory item upon shipment of the first inventory item, wherein the reserve and on hand inventory item totals are decremented by an amount equal to the quantity of the first inventory items in the shipment. Specification, page 5, lines 13-27, and page 6, lines 1-12 and FIG. 1.

E.   Independent Claim 23

Independent Claim 23 is directed to a real-time inventory information system. The system comprises a client, the client providing a user interface through which updated inventory information about a selected inventory item can be displayed, and through which the selected inventory item can be placed on reserve as an order is placed. Specification, page 6, lines 14-23, page 9, lines 21-27 and FIG. 2, 200. The system further comprises an inventory database, wherein the inventory database comprises inventory information about a plurality of inventory items, wherein the inventory information for each of the plurality of inventory items comprises quantity on hand, quantity on order, and quantity on reserve. Specification, page 5, lines 4-11 and FIG. 2, 240. The system further comprises a server, wherein the server monitors changes to the inventory information about the selected inventory item in the inventory database and transfers at least a subset of the updated inventory information to the client as such changes occur, thereby providing the client with real-time access to the inventory information. Specification, page 5, lines 21-28 and page 7, lines 4-12.

F.   Claims Dependent on Claim 23

Dependent Claim 24 depends from Claim 23 and is further directed to a real-time inventory information system wherein the client is implemented on a cellular telephone. Specification, page 6, lines 14-23.

Dependent Claim 25 depends from Claim 24 and is further directed to a real-time inventory information system wherein the client comprising a browser. Specification, page 6, lines 14-23 and FIG 2.

G.   Independent Claim 26

Independent Claim 26 is directed to a computer readable medium storing computer program process code, the computer program process code comprising instructions interpretable by a processor. Specification, page 6, lines 14-23 and FIG. 2. An inventory quantity inquiry is received from a client, the inventory quantity inquiry associated with an inventory item. Specification, page 7, page 4-12, and page 9, lines 21-26 and, generally, FIG 2. The available quantity of the inventory item is determined by polling a database and the available quantity is provided to the client. Specification, page 7, page 4-12, and page 9, lines 21-26 and, generally, FIG 2. The database is monitored for changes to the available quantity of the inventory item and an update is provided to the client when changes are made to the available quantity of the inventory item. Specification, page 7, page 4-12. An inventory item reservation request is received from the client, the inventory item reservation request comprising an inventory item and a quantity of the inventory item that is to be placed on reserve, the inventory item reservation request being sent by the client as an order is placed. Specification, page 6, page 1-12 and FIG. 1.   An on reserve quantity associated with the inventory item identified in the inventory item reservation quest is incremented in the database by the quantity to be placed on reserve from the inventory item reservation request. Specification, page 6, page 1-12 and FIG. 1.

H.   Claims Dependent on Claim 26

Dependent Claim 27 depends from Claim 26 and is further directed to a computer readable medium storing computer program process code wherein the client comprises software operating on a cellular telephone. Specification, page 6, lines 14-23.

Dependent Claim 28 depends from Claim 27 and is further directed to a computer readable medium storing computer program process code wherein the software comprises a browser. Specification, page 6, lines 14-23.

Dependent Claim 29 depends from Claim 26 and is further directed to a computer readable medium storing computer program process code wherein the available quantity of the inventory item being determined as the difference between the quantity of the

inventory item that is on hand and the quantity of the inventory item that is on reserve. Specification, page 6, page 1-12 and FIG. 1.

Dependent Claim 30 depends from Claim 26 and is further directed to a computer readable medium storing computer program process code further comprising instructions comprising consolidating a plurality of inventory item reservation requests into an order, and decrementing, in the database, the on reserve and the quantity on hand associated with each inventory item in the order when the order ships. Specification, page 6, page 1-12 and FIG. 1.

Dependent Claim 31 depends from Claim 26 and is further directed to a computer readable medium storing computer program process code further comprising instructions comprising receiving an indication that an additional quantity of the inventory item is available and incrementing, in the database, the on hand quantity associated with the inventory item by the additional quantity. Specification, page 6, page 1-12 and page 10, lines 4-10.

VI.   Grounds of rejection to be reviewed on appeal

Claims 26-31 stand rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter.

Claims 1-3, 9-10, 12-16, 18, 20, and 22-31 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,463,345 to Peachey-Kountz et al. ("Peachy-Kountz") in view of U.S. Patent No. 6,341,271 to Salvo et al. ("Salvo") and Examiner's Official Notice.

VII. Argument

A.   Claims 26-31 Are Statutory Subject Matter Under 35 U.S.C. 101

1.   Summary of the Rejections

Claims 26-31 stand rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter.

2.   **Applicable Law**

A claimed process is patent-eligible under 35 U.S.C. 101, *inter alia*, if it is tied to a particular machine or apparatus. In re Bilski, Slip Op. 2007-1130 at 10 (2008). See also Parker v. Flook, 437 U.S. 584, 593 (1978) ("the Court has … recognized a process as within the statutory definition when … was tied to a particular apparatus".) A "particular machine" may comprise one or more physical computing devices. A "particular machine" may comprise one or more physical computing devices which perform a method. See, *e.g.* Ex Parte Wasynczuk, BPAI Opinion 2008-1496 at 22, holding that a first simulating step is performed on "a first physical computing device" and a second simulating step performed on "a second physical computing device" is a "a particular apparatus" to which the process is tied.   Furthermore, claims directed to a computer-readable medium, are statutory under In re Lowry, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994).

3.   **Claims 26-31 Are Directed To Statutory Subject Matter**

Claims 26-31 describes a computer readable medium storing computer program process code, the computer program process code comprising instructions interpretable by a processor implementing an otherwise statutory process. As such, the Claims are directed to statutory subject matter.

B.   Claims 1-3, 9-10, 12-16, 18, 20, and 22-31 are patentable under 35 U.S.C. §103(a) over the cited references

1.   **Summary of the Rejections**

Claims 1-3, 9-10, 12-16, 18, 20, and 22-31 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,463,345 to Peachey-Kountz et al. ("Peachy-Kountz") in view of U.S. Patent No. 6,341,271 to Salvo et al. ("Salvo") and Examiner's Official Notice.

2. Applicable Law

It is well established that, in order to show obviousness, all limitations must be taught by the prior art. In Re Royka, 180 U.S.P.Q. 580, 490 F.2d 981 (CCPA 1974); MPEP § 2143.03. It is error to ignore specific limitations distinguishing over the references. In Re Boe, 184 U.S.P.Q. 38, 505 F.2d 1297 (CCPA 1974); In Re Saether, 181 U.S.P.Q. 36, 492 F.2d 849 (CCPA 1974); In Re Glass, 176 U.S.P.Q. 489, 472 F.2d 1388 (CCPA 1973).

A patent composed of several elements is not proved obvious, however, merely by demonstrating that each of its elements was, independently, known in the prior art. KSR Int'l Co. v. Teleflex, 127 S.Ct 1727, 1741 (2007). As former Chief Judge Markey of the Federal Circuit has stated, "virtually all inventions are 'combinations', and … every invention is formed of 'old elements' …. Only God works from nothing. Man must work with old elements." H.T. Markey, Why Not the Statute? 65 J. Pat. Off. Soc'y 331, 333-334 (1983). The fact finder should be aware of the distortion caused by hindsight bias and must be cautious of arguments reliant upon ex post reasoning. KSR Int'l Co. v. Teleflex, 127 S.Ct at 1742.

3. Peachey-Kountz and Salvo do not disclose each and every limitation of Claims 1-3, 9-10, 12-16, 18, 20, and 22-31 of the present application, either expressly or inherently

Each of independent claims 1, 12, 23, and 26 incorporates language referring to placing inventory on reserve as an order is placed. The Examiner asserts that column 6, lines 29-40 of Peachey-Kountz discloses placing inventory on reserve. While it is conceded that the same term, "reserve", is used in both the instant claims and in Peachey-Kountz, the definition of those terms is different. Peachey-Kountz discloses processing an order and, where the current inventory is insufficient to meet the order, examining the supply chain to identify when portions thereof could be used to fill the order, and reserving portions of the anticipated supply such that the order can be fulfilled.

Systems such as that disclosed in Peachey-Kountz are advantageous in scenarios where there is sufficient inventory/sufficiently low demand at the customer level such that the delayed order fulfillment that results therefrom will not adversely impact the customer. However, many industries cannot afford to have such delays. By way of

example, without limitation, in the catering/food service industry, a customer may request that a number of bottles of a specific vintage of wine be available for a dinner party or other event. Given that the industry is highly consumer-based, which in turn means that customer satisfaction plays a large part in referrals and repeat business, it is especially important for the caterers or restaurateurs to meet their consumer's expectations.

As the previously-filed Garrison Reeves Ellam under 37 C.F.R. §1.132 filed May 7, 2008 attests, there has been a long-felt need for a system that allows consumer-based businesses to improve customer satisfaction by providing accurate inventory availability information. The claimed invention improves customer satisfaction by providing real-timed inventory information to salespeople and other professionals, such that they can accurately advise customers as to whether or not they will be able to meet the exact demand. As the Declaration attests, implementations of the claimed invention have met with significant commercial success.

Still further, because of the ability to "reserve" during an order process in accordance with the invention, the salesperson can give the customer unprecedented assurance that the order will be fulfilled. The salesperson no longer has to contend with concerns about orders taken by others for the same inventory, because the inventory is reserved as the order is being placed. This has at least two advantages - first, the selling salesperson and his/her customer can be assured that the order will be fulfilled. Second, because the inventory changes are displayed in real-time, any other salespeople and their customers can be assured that they are viewing accurate, up-to-date information upon which decisions can be based. Peachy-Kountz does not teach or suggest marking inventory items as "reserved" as an order is placed, as used in the specification and as recited in the claims. It is further asserted that Salvo, either alone or in combination with Peachy-Kountz, does not remedy the deficiency.

Thus, it is respectfully asserted that all elements of the claimed invention are not present in the prior art, and Claims 1-3, 9-10, 12-16, 18, 20, and 22-31 are therefore patentable over the cited references.

VIII. Claims appendix

1.   An inventory status and information system comprising:

a database, the database storing at least on-hand, reserved, and ordered inventory quantities associated with a plurality of inventory items;

a server, the server providing access to information from the database via a communication interface, the server also pushing out updates to inventory quantities as such inventory quantities change;

a client, the client providing a user interface through which information accessible via the server may be accessed and displayed, the user interface further allowing a user to view inventory quantities associated with a selected inventory item, view inventory quantity updates provided by the server, and place a specified quantity of the selected inventory item on reserve as an order is placed.

2.   The real-time inventory status and information system of Claim 1, said server comprising a web server.

3.   The real-time inventory status and information system of Claim 2, said client comprising a web browser operating on a cellular telephone.

9.   The real-time inventory status and information system of Claim 1, said client comprising a device capable of reading a container label to identify the selected inventory item.

10.   The real-time inventory status and information system of Claim 9, said device comprising a barcode scanner.

12. A method of real-time inventory item status and information dissemination, comprising the steps of:

recording in an inventory database a quantity on-hand for a plurality of inventory items, the inventory database being stored in an electronic data storage element in a server;

recording in the inventory database a first order for a first inventory item and the corresponding order properties, the corresponding order properties comprising a first quantity ordered, a date ordered, and at least one of an anticipated delivery time and an anticipated delivery date, the first order representing an order placed with a supplier, the first inventory item being one of the plurality of inventory items;

recording in the inventory database a second quantity of the first inventory item received from the supplier by at least incrementing the on-hand inventory item quantity corresponding to the first inventory item, wherein the on-hand inventory item quantity is incremented in an amount equal to the second quantity;

storing in the inventory database information associated with at least one purchase request for a third quantity of the first inventory item, comprising placing a quantity of inventory items on reserve by incrementing in the inventory database an on reserve inventory item quantity by an amount corresponding to the third quantity for the first inventory item, the purchase request being received from the a client as an order is placed;

receiving from a user, via a client, at least one request for information about the first inventory item;

calculating, via one of the server or the client, an inventory item quantity available for delivery for the first inventory item as a difference between an inventory item quantity on-hand and an inventory item quantity on reserve for the first inventory item;

    displaying for the user, via the client, the inventory item quantity available for delivery for the first inventory item;

    transmitting, via a wireless communications means, from the server to the client the updated inventory item quantity available for delivery for the first inventory item when the inventory item quantity available for the first inventory item changes, thereby providing the client with real-time access to inventory information about the first inventory item; and,

    displaying for the user, via the client, the updated inventory item quantity for the first inventory item.

13.   The real-time inventory status and information dissemination method of Claim 12, wherein said first orders are entered through an accounting system.

14.   The real-time inventory status and information dissemination method of Claim 13, wherein said accounting system automatically updates the corresponding order properties in the inventory database.

15.   The real-time inventory status and information dissemination method of Claim 12, wherein electronically readable codes corresponding to inventory items are used as a basis for recording inventory items as they are received, returned, or shipped.

16.   The real-time inventory status and information dissemination method of Claim 15, in which said electronically readable codes are Universal Product Code (UPC) codes.

18.   The real time inventory status and information dissemination method of Claim 12, further comprising the step of reading an electronically readable code corresponding to a sixth inventory item as the sixth inventory item is shipped.

20.   The real-time inventory status and information dissemination method of Claim 12, further comprising recording in the inventory database any inventory items

returned by a customer by at least incrementing the on-hand inventory item quantity corresponding to the returned inventory items.

22.   The real-time inventory status and information dissemination method of Claim 12, further comprising decrementing in the inventory database both reserve and on hand inventory item totals corresponding to the first inventory item upon shipment of the first inventory item, wherein the reserve and on hand inventory item totals are decremented by an amount equal to the quantity of the first inventory items in the shipment. 1-12-23-26

23.   A real-time inventory information system, comprising:

a client, the client providing a user interface through which updated inventory information about a selected inventory item can be displayed, and through which the selected inventory item can be placed on reserve as an order is placed;

an inventory database, wherein the inventory database comprises inventory information about a plurality of inventory items, wherein the inventory information for each of the plurality of inventory items comprises quantity on hand, quantity on order, and quantity on reserve; and,

a server, wherein the server monitors changes to the inventory information about the selected inventory item in the inventory database and transfers at least a subset of the updated inventory information to the client as such changes occur, thereby providing the client with real-time access to the inventory information.

24.   The system of claim 23, the client implemented on a cellular telephone.

25.   The system of claim 24, the client comprising a browser.

26.   A computer readable medium storing computer program process code, the computer program process code comprising instructions interpretable by a processor, the instructions comprising:

receiving an inventory quantity inquiry from a client, the inventory quantity inquiry associated with an inventory item;

determining the available quantity of the inventory item by polling a database;

providing the available quantity to the client;

monitoring the database for changes to the available quantity of the inventory item;

providing an update to the client when changes are made to the available quantity of the inventory item;

receiving an inventory item reservation request from the client, the inventory item reservation request comprising an inventory item and a quantity of the inventory item that is to be placed on reserve, the inventory item reservation request being sent by the client as an order is placed.; and

incrementing, in the database, an on reserve quantity associated with the inventory item identified in the inventory item reservation quest by the quantity to be placed on reserve from the inventory item reservation request.

27.   The computer program process code of claim 26, the client comprising software operating on a cellular telephone.

28.   The computer program process code of claim 27, the software comprising a browser.

29.   The computer program process code of claim 26, the available quantity of the inventory item being determined as the difference between the quantity of the inventory item that is on hand and the quantity of the inventory item that is on reserve.

30. The computer program process code of claim 26, further comprising instructions comprising:

consolidating a plurality of inventory item reservation requests into an order; and

decrementing, in the database, the on reserve and the quantity on hand associated with each inventory item in the order when the order ships.

31. The computer program process code of claim 26, further comprising instructions comprising:

receiving an indication that an additional quantity of the inventory item is available; and,

incrementing, in the database, the on hand quantity associated with the inventory item by the additional quantity.

IX.   Evidence appendix

Declaration of Garrison Reeves Ellam under 37 C.F.R. §1.132 filed May 7, 2008, of record in this case.

X.   Related proceedings appendix

None

XI.   Conclusion

For all of the above reasons, Applicant respectfully requests that the rejections of Claims 1-3, 9-10, 12-16, 18, 20, 22-31 in this Application be REVERSED.

The Commissioner is authorized to charge any additional fees associated with this filing, or credit any overpayment to Deposit Account No. **50-0653.**   If an extension of time is required, this should be considered a petition therefor.

Respectfully submitted,

/Wayne V. HARPER, Reg. #55839/

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Wayne V. Harper
Registration No. 55,839

Greenberg Traurig, LLP
2101 L Street, NW Suite 1000
Washington, DC 20037
407-418-2356